

**AN ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA, TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REMIT PAYMENT FOR OUTSTANDING INVOICES THROUGH DECEMBER 31, 2007 TO COGNOS CORPORATION FOR SOFTWARE, SERVICES AND SUPPORT, IN AN AMOUNT NOT TO EXCEED NINE HUNDRED TWENTY-SEVEN THOUSAND, SEVEN HUNDRED SEVENTY-ONE DOLLARS AND SIXTY-THREE CENTS (\$927,771.63), , TO BE CHARGED TO AND PAID FROM FDOA NUMBER 1001. (GENERAL FUND) 200301. (NDP UNALLOCATED CITYWIDE EMPLOYEE EXPENSES) 5212001. (CONSULTING/ PROFESSIONAL SERVICES) 1540000. (HUMAN RESOURCES); TO AUTHORIZE THE MAYOR TO EXECUTE APPROPRIATE CONTRACTUAL AGREEMENTS WITH COGNOS CORPORATION, FOR CONSULTING, LICENSE MAINTENANCE AND TRAINING SERVICES, ON BEHALF OF THE DEPARTMENT OF FINANCE, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THIRTY-NINE THOUSAND, TWO HUNDRED DOLLARS AND NO CENTS (\$439,200.00), TO BE CHARGED TO AND PAID FROM FDOA NUMBER 3503. (CAPITAL FINANCE FUND) 200300. (NON-ALLOCABLE FUND EXPENSES) 5999999. (PROJECTS AND GRANTS BUDGET- SUMMARY) 153500. (DATA PROCESSING/ MANAGEMENT) 110013. (COGNOS BUDGET DEVELOPMENT) 91226 (GMA LOAN 9999); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into a General Software License, Support and Service Agreement with the Cognos Corporation ("Cognos"), effective May 31, 2005; and

WHEREAS, on September 18, 2006, the City executed a Service Rate Agreement with Cognos, which established the rates at which the City purchased consulting and training services from Cognos, for a 12- month period; and

WHEREAS, on November 30, 2006 the City executed an Order Agreement with Cognos for consulting and support services, which is governed by the General Software License, Support and Service Agreement dated May 31, 2005; and

WHEREAS, under the Order Agreement, Cognos support services are renewable annually, and the City is authorized to deploy Cognos software as needed for a 4- year period; and

WHEREAS, the Agreements were executed without Council approval and without a competitive procurement selection process; and

WHEREAS, Cognos has continued to provide services to the City; and

WHEREAS, the services provided by Cognos are necessary for the support of Cognos software currently implemented at the City; and

WHEREAS, the City wishes to continue its relationship with Cognos under similar terms and conditions currently governing the parties in the General Software License, Support and Service Agreement and the Order Agreement; and

WHEREAS, the City further desires to ratify the prior provision of services by Cognos, and authorize payment to Cognos for the balance due for services rendered, in an amount not to exceed Nine Hundred Twenty-Seven Thousand, Seven Hundred Seventy-One Dollars and Sixty-Three Cents (\$927,771.63), to be charged to and paid from FDOA Number 1001. (General Fund) 200301. (NDP Unallocated Citywide Employee Expenses) 5212001. (Consulting/ Professional Services) 1540000. (Human Resources); and

WHEREAS, the Chief Financial Officer and the Chief Procurement Officer recommend the execution of an Agreement with Cognos, for consulting, maintenance and training services, in an amount not to exceed Four Hundred Thirty-Nine Thousand, Two Hundred Dollars and No Cents (\$439,200.00), to be charged to and paid from FDOA Number 3503. (Capital Finance Fund) 200300. (Non-Allocable Fund Expenses) 5999999. (Projects and Grants Budget- Summary) 153500. (Data Processing/ Management) 110013. (Cognos Budget Development) 91226 (GMA Loan 9999).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the City is authorized to continue its relationship with Cognos Corporation, and the Mayor is authorized to execute a General Software License, Support and Service Agreement and an Order Agreement under similar terms and conditions currently governing the parties, beginning the first day of the month immediately following the date the legislation is approved by the Mayor. The City shall be authorized to deploy software under the Order Agreement until November 29, 2010.

SECTION 2: That the City's actions in accepting and paying for services provided by Cognos Corporation in the amount of \$2,872,289.21 are ratified and confirmed, and the Chief Financial Officer is authorized to remit payment to Cognos for the balance due for services rendered through December 2007, in an amount not to exceed Nine Hundred Twenty-Seven Thousand, Seven Hundred Seventy-One Dollars and Sixty-Three Cents (\$927,771.63), to be charged to and paid from FDOA Number 1001. (General Fund) 200301. (NDP Unallocated Citywide Employee Expenses) 5212001. (Consulting/ Professional Services) 1540000. (Human Resources).

SECTION 3: That the Mayor is authorized under Chapter 2, Article X, Division 4, Section 2-1191.1 of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to execute, on behalf of the City of Atlanta, an Agreement with Cognos Corporation, for consulting, license maintenance and training services, in an amount not

to exceed Four Hundred Thirty-Nine Thousand, Two Hundred Dollars and No Cents (\$439,200.00) to be charged to and paid from FDOA Number 3503. (Capital Finance Fund) 200300. (Non-Allocable Fund Expenses) 5999999. (Projects and Grants Budget-Summary) 153500. (Data Processing/ Management) 110013. (Cognos Budget Development) 91226 (GMA Loan 9999).

SECTION 4: That the Chief Procurement Officer is directed to prepare the appropriate Agreements for execution by the Mayor.

SECTION 5: That the Agreements will not become binding on the City, and the City will incur no obligation or liability until they have been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to Cognos Corporation.

SECTION 6: That Chapter 2, Article X, Division 4 of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such applies to the authorization of payment for services rendered by Cognos Corporation, and procurement of the new contract.

SECTION 7: That all Ordinances or parts of Ordinances in conflict with this Ordinance are waived for this instance only.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/ Executive Committee

Caption: AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA, TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REMIT PAYMENT FOR OUTSTANDING INVOICES THROUGH DECEMBER 31, 2007 TO COGNOS CORPORATION FOR SOFTWARE, SERVICES AND SUPPORT, IN AN AMOUNT NOT TO EXCEED NINE HUNDRED TWENTY-SEVEN THOUSAND, SEVEN HUNDRED SEVENTY-ONE DOLLARS AND SIXTY-THREE CENTS (\$927,771.63), , TO BE CHARGED TO AND PAID FROM FDOA NUMBER 1001. (GENERAL FUND) 200301. (NDP UNALLOCATED CITYWIDE EMPLOYEE EXPENSES) 5212001. (CONSULTING/ PROFESSIONAL SERVICES) 1540000. (HUMAN RESOURCES); TO AUTHORIZE THE MAYOR TO EXECUTE APPROPRIATE CONTRACTUAL AGREEMENTS WITH COGNOS CORPORATION, FOR CONSULTING, LICENSE MAINTENANCE AND TRAINING SERVICES, ON BEHALF OF THE DEPARTMENT OF FINANCE, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THIRTY-NINE THOUSAND, TWO HUNDRED DOLLARS AND NO CENTS (\$439,200.00), TO BE CHARGED TO AND PAID FROM FDOA NUMBER 3503. (CAPITAL FINANCE FUND) 200300. (NON-ALLOCABLE FUND EXPENSES) 5999999. (PROJECTS AND GRANTS BUDGET- SUMMARY) 153500. (DATA PROCESSING/ MANAGEMENT) 110013. (COGNOS BUDGET DEVELOPMENT) 91226 (GMA LOAN 9999); AND FOR OTHER PURPOSES.

Council Meeting Date: April 21, 2008

Requesting Dept.: Department of Finance

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO
REMIT PAYMENT FOR OUTSTANDING INVOICES
DUE TO COGNOS FOR SERVICE & SUPPORT. IN
ADDITION TO AUTHORIZE A CONTRACTUAL
AGREEMENT WITH COGNOS , FOR CONSULTING,
LICENSE MAINTENANCE AND TRAINING SERVICES,
FOR THE DEPARTMENT OF FINANCE.

2. Please provide background information regarding this legislation.

Cognos is a financial management system that assists the Office of Budget & Fiscal Policy (BFP) with meeting its core analysis and budgeting requirements.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc):
- (b) Source Selection:
- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center:

Fund: 1001 Department/Org: 200301 Account: 5212001 Function Activity: 1540000

Fund: 3503 Department/Org: 200300 Account: 5999999 Function Activity: 1535000

5. Source of Funds:

6. Fiscal Impact: Not to exceed 1,366,971.63

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By:

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: March 19, 2008

Anticipated Committee Meeting Date(s): April 1-2, 2008

Anticipated Full Council Date: April 21, 2008

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: 

CAPTION

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
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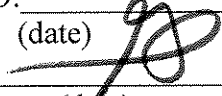
FINANCIAL IMPACT (if any): \$927,771.63 and \$439,200.00

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 3.19.08 
(date)

Reviewed by: 
(date)

Submitted to Council: _____
(date)